

Application No. 10/524,345

Amdt. dated October 12, 2006

Response to the Office Action of August 11, 2006

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application.

**Listing of Claims:**

1. (Canceled)
2. (Currently Amended) ~~Compound according to Claim 1~~ The compound of claim 1, characterized in that 17 wherein p is equal to 2.
3. (Canceled)
4. (Currently Amended) ~~Compound according to claim 1 characterized in that~~ The compound of claim 17 wherein q is chosen equal to 1 or 2, the substituent(s) Y being positioned in the ortho position of the benzene ring.
5. (Canceled)
6. (Currently Amended) ~~Compound according to Claim 5, characterized in that~~ The compound of claim 19 wherein X<sup>1</sup> is halogen and X<sup>2</sup> is haloalkyl.
7. (Canceled)

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8. (Currently Amended) ~~Compound according to Claim 7, characterized in that it~~ The compound of claim 20 wherein said compound has the following characteristics, taken individually or in combination:

[[ -]] X' is ~~chosen as being~~ halogen and X<sup>2</sup> is ~~chosen as being~~ haloalkyl;

[[ -]] Y' is ~~chosen as being~~ selected from the group consisting of halogen ~~or~~ and haloalkyl.

9. (Currently Amended) ~~Compound according to Claim 8, characterized in that~~ The compound of claim 8 wherein the haloalkyl group is trifluoromethyl.

10 - 11 (Canceled)

12. (Currently Amended) ~~Process according to Claim 11, characterized in that~~ The process of claim 22 wherein the nucleofugal radical Q is selected from the group consisting of a halogen ~~or~~ and trifluoromethanesulphonate.

13. (Currently Amended) ~~Fungicidal~~ A fungicidal composition comprising an effective amount of a compound according to claim ~~1~~ 17 and an agriculturally acceptable support.

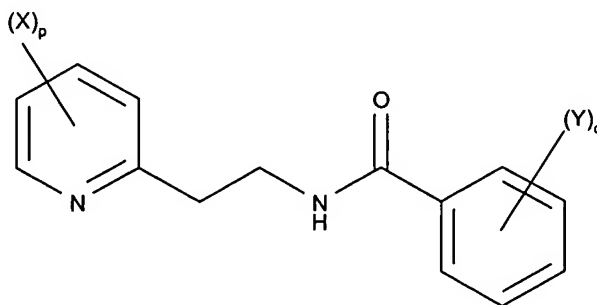
14. (Currently Amended) ~~Fungicidal~~ The fungicidal composition according to of claim 13 further comprising a surfactant.

15. (Currently Amended) ~~Fungicidal~~ The fungicidal composition according to of claim 13 comprising from 0.05% to 99% by weight of active material.

16. (Currently Amended) ~~Method~~ A method for preventively or curatively combating the phytopathogenic fungi of crops, ~~characterised in that plants, wherein said fungi are selected from the group consisting of *Alternaria brassicae*, *Botrytis cinerea*, *Pyrenophora teres*, and *Septoria tritici*, comprising applying an effective and non-phytotoxic amount of a fungicidal composition according to claim 13 is applied~~ comprising a compound according to claim 20 and an agriculturally acceptable support to:

- (A) the plant seeds, ~~or to~~
- (B) the plant leaves, ~~and/or to~~
- (C) the fruits of the plants,
- (D) a combination of (B) and (C), or
- (E) to the soil in which the plants are growing or in which it is desired to grow them.

17. (New) A compound of the general formula (I):



(I)

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wherein

p is an integer equal to 1, 2, 3 or 4;

q is an integer equal to 1, 2, 3, 4 or 5;

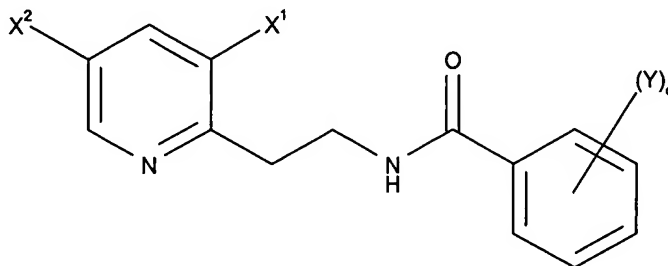
each X is independently selected from the group consisting of halogen, alkyl, and haloalkyl, provided that at least one X is a haloalkyl;

each Y is independently selected from the group consisting of halogen, alkyl, alkenyl, alkynyl, haloalkyl, alkoxy, amino, phenoxy, alkylthio, dialkylamino, acyl, cyano, ester, hydroxy, aminoalkyl, benzyl, haloalkoxy, halosulphonyl, halothioalkyl, alkoxyalkenyl, alkylsulphonamide, nitro, alkylsulphonyl, phenylsulphonyl, and benzylsulphonyl;

as to the N-oxides of 2-pyridine thereof;

with the exception of N-{2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl}-2,6-dichlorobenzamide.

18. (New) The compound of claim 2 wherein the substituents X are positioned as follows:

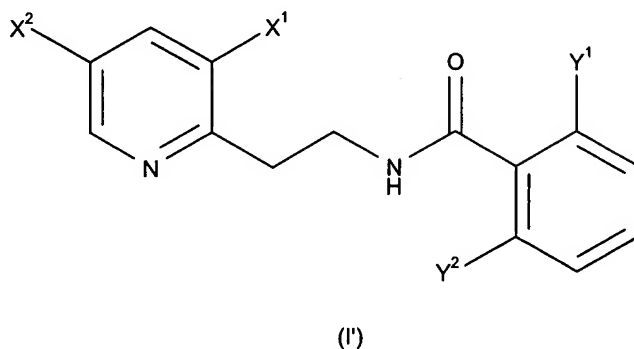


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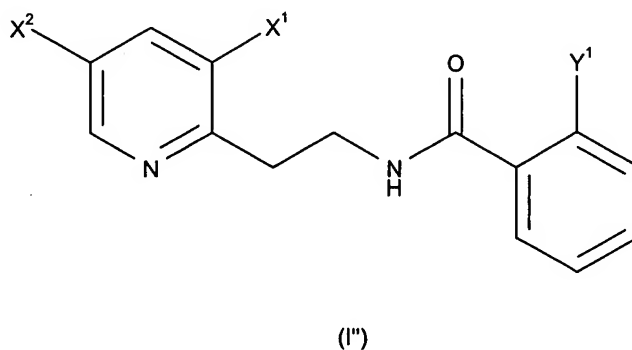
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19. (New) The compound of claim 4 wherein said compound corresponds to the general formula (I'):



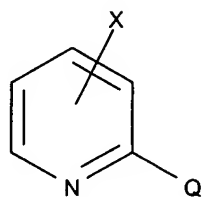
20. (New) The compound of claim 4 wherein said compound corresponds to the general formula (I''):



21. (New) A compound selected from the group consisting of N-{2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl}-2-trifluoromethylbenzamide;  
- {2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl}-2-iodobenzamide; and  
- {2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl}-2-bromobenzamide.

22. (New) A process for the preparation of compound of formula (I) of claim 17 comprising:

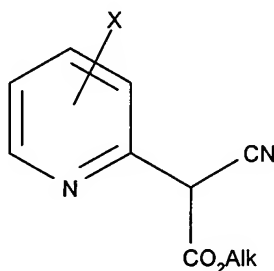
(A) reacting, in the presence of a base in an aprotic polar solvent, a compound of general formula (Ia)



(Ia)

in order to substitute it selectively in the 2-position:

(1) with  $\text{NC-CH}_2\text{-CO}_2\text{Alk}$  to produce a compound of general formula (Ib)



(Ib)

wherein:

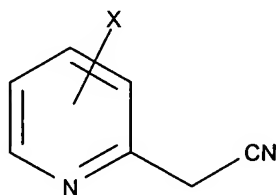
X is as previously defined;

Alk represents an alkyl radical;

Q is a nucleofugal radical;

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which is caused to undergo dealkyloxycarbonylation in the presence of an alkali metal halide at the reflux of a water/dimethyl sulphoxide mixture to produce a compound of general formula (Ic)

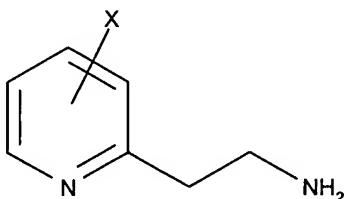


(Ic)

or

(2) with acetonitrile to produce the compound (Ic) directly;

(B) reducing compound (Ic) to pyridylethanamine of general formula (Id)



(Id)

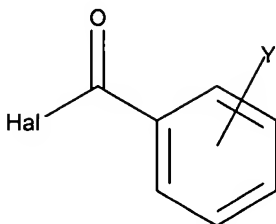
or its corresponding ammonium salt, depending on whether or not the medium is acid, under hydrogen pressure in the presence of a metal catalyst in a protic solvent;

(C) reacting compound (Id) or its corresponding ammonium salt with a benzoyl halide of general formula (Ie)

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**(Ie)**

in the presence of a base to the compound of general formula (I).